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Varieties of Collaboration: The case of an Australian retail union

Abstract

Much has been written about varieties of collaboration and the interplay between conflict and collaboration in industrial relations. This article explores the preconditions, processes and outcomes associated with the collaborative strategies of an Australian retail trade union: the Shop, Distributive and Allied Employees' Association. The data were collected from an extensive series of interviews with officials and organisers within the union across all Australian states. We find that despite taking a servicing approach, and indeed never aggressively organising members, the union has managed to achieve a range of outcomes that exceed retail employment conditions in other countries. We argue that this is partly a result of the Australian legislative framework, which is inherently pluralist and supportive of collective bargaining. This environment, whereby unions are not forced to fight to represent members, can be conducive to collaborative employment relations, particularly in industries where the parties do not adopt an adversarialist stance.

Introduction

In the world of work, 'relations between workers and employers necessarily involve conflict *and* collaboration' [emphasis in original] (Kelly 1998: 8). Industrial relations researchers have tended to focus on conflict, paying comparatively little attention to co-operation, collaboration and compromise. This gap is particularly evident in recent research on trade unions, which tends to focus on organising strategies designed to achieve union power 'over' the employer, rather than on the broader remit of union activities, some of which may aim to create union power 'with' the employer. Further, the literature on collaboration is 'siloed' into varied 'national' approaches, such as European social partnership, British workplace partnership and North American 'mutual gains', without cross-fertilisation between the different streams. Studies in other national contexts are therefore imperative to explore some of the reasons why and how collaborative relationships develop within particular contexts.

In this paper, we explore why and how Australia's largest union, the Shop, Distributive and Allied Employees' Union (SDA) develops relationships with capital, based on the perceptions of SDA officials. This case extends research on collaboration by considering a national context in which there is neither 'hard' nor 'soft' regulation for collaboration, but where legislative support for collective bargaining (and for union recognition) is relatively high. The SDA, while referred to pejoratively as a 'business union' (McCann 1994; Game and Pringle 1983), has been remarkably successful as an organisation, as measured by a number of indicators, including growth and size, and pay increases relative to statutory minimum conditions. It negotiates in a relatively non-adversarial way, due to the Australian regulatory environment, and the nature and culture of the retail industry and the union itself. In the Australian retail industry, collective agreements are broad in scope and incorporate clauses covering 'voice' mechanisms and 'mutual gains' outcomes, akin to UK 'partnership' agreements. The SDA negotiates in exchange for various forms of 'union encouragement' by major retailers (Mortimer 2001a), as well as measurable benefits for those covered by agreements. The significance of our research is that much of the literature on forms of collaboration tends to discount or ignore collective bargaining, viewing it as separate from collaboration, partnership or mutual gains (Godard and Delaney 2000) rather than (potentially) complementary. Our argument in this paper is that in the right *context*, there is no sharp delineation between collective bargaining and collaboration.

In the first section of the paper, we explore the theoretically focused literature on collaboration and the relevant contextual features that shape 'compromise' in the workplace. We then look at the 'varieties of collaboration' that exist in different national contexts, before moving to examine the context for retail employment relations, particularly in Australia. The main section of the paper summarises our findings, using a conceptual framework drawn from the literature on collaboration (Wood & Gray 1991). We then analyse and explore the implications of those findings for our research questions.

Collaboration

From a conceptual viewpoint, many authors have pointed to the notorious ‘slipperiness’ of the term ‘collaboration’. Its meaning shifts ‘depending on the particular interests being promoted or the purposes to which it is put’ (Haynes and Allen 2001: 166-7). In broad terms, collaboration:

occurs when a group of autonomous stakeholders of a problem domain engage in an interactive process, using shared rules, norms and structures, to act or decide on issues related to that domain (Wood and Gray 1991: 140).

We adopt Wood and Gray’s (1991) approach, which draws on organizational theory, to frame our analysis. They argue that a key limitation of most existing perspectives on collaboration is that they are oriented toward the individual focal organisation (a firm) rather than toward an interorganisational ‘problem domain’. In arguing that the focus must shift from the organisation to the domain, there is recognition of the importance of collaboration as an interorganisational phenomenon, designed to achieve desired ends that no single organisation could achieve acting unilaterally. At the same time, collaboration can take place without the parties necessarily achieving their objectives. Usefully, they identify three key issues which cut across all theoretical perspectives: the parties’ intent and the preconditions that make collaboration possible and motivate stakeholders to participate; the process through which collaboration occurs; and the outcomes of collaboration.

Forms of collaboration between trade unions and management can be analysed in various ways. From a ‘national industrial relations systems’ perspective (institutional/political), there are three main versions of collaboration, each of which is geographically and historically contingent. These are: 1) formal (social) partnership models as in Europe; 2) formal (market) partnership models as in the UK; and 3) informal (market) partnership models as in the US. In practice, some arrangements operate at the organisational and workplace level, such as US approaches to ‘mutual gains’ which rest on the notion of high performance work systems (HPWS) (Kochan and Osterman 1994; Budd, Gomez and Meltz 2004). European approaches rely on legislation and mandatory structures (in large firms) such as works councils, resulting in a diversity of national settlements concerning how collaboration is implemented (Dølvik and Waddington 2004; Hyman 2005; Gajewska and Niesyto 2009). Other national approaches lack a legislative basis and are strongly voluntarist, but have government support and funding: UK ‘partnership

agreements’ are one such model (Brown and Oxenbridge 2004; Kelly 2004; Johnstone, Ackers and Wilkinson 2009, 2010). In Australia and New Zealand there have been only episodic attempts at ‘soft’ intervention as a means to promote collaboration, such as via a ‘best practice’ program in Australia in the late 1980s and early 1990s (Macneil, Haworth and Rasmussen 2011). We argue that these varied types of collaboration are best analysed using a conceptual framework that takes a ‘deeper’ account of what collaboration actually *is*.

Adapting Wood and Gray’s (1991) schema, *preconditions* for successful union-management collaboration include the institutional basis of collaboration; that is the degree of state and legislative support for collaboration per se. We would also argue that wider industrial arrangements governing industrial relations, including those relating to union recognition and collective bargaining, are preconditions. As we will argue in this paper, those arrangements in Australia are somewhat more favourable for unions in traditionally ‘non-militant’ industries than is the case in many other countries. With respect to *intent*, differing forms of union-management collaboration have very different ideologies and underlying norms. The formal model of European social partnership derives from Catholic social teaching ‘with its emphasis on the functional interdependence (but by no means equal status) of employers and workers’ (Hyman 2005: 251-2). UK-style partnership agreements have their genesis in a pluralist ‘third way’ ideology which aims to replace adversarialist forms of engagement based on conflict and tension (Dietz, Cullen and Coad 2005; Johnstone et al. 2010; Martinez Lucio and Stuart 2004). In the US, the ideological underpinnings of ‘mutual gains’ HPWS approaches range from highly unitarist to mildly pluralist. *Processes* derive from the institutional supports for collaboration, and the wider political and industrial relations arrangements. Processes also include the level and scope of collaboration (Bacon and Blyton 2007; Roche 2009). We would say longevity and pervasiveness are part of the processes, the latter referring to how widespread collaboration is in the industry. *Outcomes* reflect the prevailing preconditions, intent and processes and are a matter for empirical examination.

We argue in this paper, therefore, that rather than dismissing less militant unions and those that are not adopting the organising model in its entirety as ‘business unions’, we should unpack their approaches to collaboration analytically. For the purposes of this paper, our research questions

are threefold. What are the *preconditions* for the SDA's collaboration with retail employers? What is the SDA's *intent*? What are the *processes* used? (How was a particular method of collaboration enacted and what strategic choices were made by the union)? What is the *outcome*? (The scope of issues includes the gains and losses that have accrued to the union and the degree of *longevity* and *pervasiveness* of the arrangements). For the purposes of examining collaboration from the perspective of a trade union and in particular, union officials, we discuss our case study data by drawing upon the institutional/negotiated order and political theoretical perspectives identified by Wood and Gray (1991) to examine critical domain questions such as power and resources. We turn now to examine the nature of the retail sector, and the character of its unions, before presenting our findings on the SDA.

The Retail Context

Retail comprises a sizeable proportion of global employment: over 10 per cent in developed economies (Bozhurt and Grugulis 2011). The bulk of retail employment exists in the large multiples, particularly in grocery retailers which exert oligopolistic market power (Baret et al. 2000; IBIS World 2008). Historically, retail has been a highly localised industry, but the advent of internet shopping, or e-tailing, means retailers now offer online services in addition to store-based services; that is, 'clicks and mortar' (Grewal, Iyer and Levy 2004), and reduce labour input through the use of scanning technology, including customer self-scanning (Price 2011). Retail is an industry with low profit margins – 5 per cent before tax in Australia compared to an all industry average of 11 per cent (Productivity Commission 2011). Hence, retailers try to reduce labour costs which, while a relatively small proportion of overheads (generally less than 10 per cent) (Price 2004), are one of the easiest variable costs to control. Low wages in retail are therefore a global phenomenon (Tilly and Carré 2011). Retailers are also increasingly employing part-time, temporary and young workers to respond to customer peaks and troughs in the context of extended trading hours (Price 2005). Staff turnover in the industry is high (Ikeler 2011; O'Brien-Smith & Rigby 2010; Price 2004). These employment practices are a major reason for low retail union membership (Lucas 2009), high turnover (Lynch et al. 2011) and, to some extent, membership passivity. As a consequence, international research shows that retail unions generally have little power, and that the range of strategic options available to retail

unions is limited (Dolvik and Waddington 2004; Gajewska and Niesyto 2009; Haynes and Allen 2001; Ikeler 2011; O'Brien-Smith & Rigby 2010; Royle and Ortiz 2009; Tilly and Galvan 2006).

The Australian retail sector reflects the broader international situation. Australian retail employs around ten per cent of the workforce; is highly concentrated even by international standards, particularly in the supermarket sector (IBIS World 2008); is increasingly adopting scanning and other technology; and its use of part-time, casual workers, particularly youth, is very high. Contingent youth work is underpinned by low youth wages: a 15-year-old is paid 45 per cent of the adult rate. Retail employment practices, in turn, shape the strategies of the SDA.

The Retail Union in Australia

The SDA is the main Australian union with coverage rights in retail, including shops, fast food, warehousing and distribution, petrol stations and pharmacies. Its membership exceeds 230,000 (SDA 2011), primarily in sales, clerical and distribution occupations, making it the largest union in Australia. The SDA has amongst the highest levels of union density in the private sector. Union density in supermarkets is 28 per cent, whereas Australia's overall private sector density is 13 per cent (ABS 2011). Retail density is however variable, averaging 16 per cent, yet only 4 per cent in motor vehicle retailing (ABS 2011). Consistent with the characteristics of the retail labour force, the SDA's membership is highly feminised, youthful, often part-time and in various forms of contingent employment. High staff turnover in the industry is reflected in high member turnover in the SDA, so continuous recruitment is critical and is a key challenge for the SDA.

The industrial relations legislative context in which the SDA operates shapes relations with employers. In Australia, employment legislation provides a more comprehensive safety net of wages and working conditions for employees, through Awards and minimum standards, than in many other countries. Additionally, the objective of the *Fair Work Act* is to 'provide a balanced framework for cooperative and productive workplace relations' (FWA s.3), by privileging collective bargaining as a means of achieving business productivity and flexibility outside the award system. Further, and in contrast to the UK and US, Australian unions do not need to campaign for recognition and, particularly since the advent of the new *Fair Work Act* 2009,

support for collective bargaining, underpinned by Awards, is reasonably strong. One aspect of the Australian legislation which has provided challenges for unions, however, is that the union security ('closed shop') arrangements that the SDA had relied on since the 1970s (Mortimer 2001a) were abolished in 1996 (Peetz 1998), requiring the SDA to develop a range of recruitment strategies.

Methodology

We argue that the SDA provides a 'theoretically useful case' with the potential to extend existing theory (Eisenhardt 2002). A case study of the union was therefore considered the most appropriate form of analysis to explore its strategies vis-à-vis employers, and its experiences of collaboration. Since our research questions relate to how and why, following Yin (2009) a case study allows for detailed insights into the logic (intent), processes and outcomes of collaboration from the perspective of union officials and organisers.

Interviews and focus groups with 12 SDA officials and 19 SDA organisers in both the national office and across five states were undertaken in 2010 and 2011. Interviewees were as follows:

- National: 2 officials (individual interviews);
- Queensland: 1 official, 3 organisers (individual interviews);
- South Australia: 2 officials, 3 organisers (individual interviews);
- Tasmania: 1 official, 1 organiser (individual interviews);
- Western Australia: 1 official; 1 organiser (interviews); 4 organisers (focus group)
- New South Wales: 1 official (individual interviews); 1 official, 3 organisers (focus group); and
- Victoria: 2 officials (individual interviews): 1 official and 4 organisers (focus group).

All interviews and focus groups were digitally recorded and transcribed. The data were coded using NVivo, on the basis of the extant issues identified in the collaboration literature.

Research Findings

Preconditions for collaboration and intent of union

In an environment where the SDA needs to protect members' conditions to maintain legitimacy and yet struggles to maintain membership because of high industry turnover, the rationale for collaboration is: 'if you can't get your foot in the door, it is very difficult to improve terms and conditions for members' (Official 5). As already noted, the SDA's membership is dominated by contingent workers, who, by virtue of their legal employment status, are overwhelmingly passive in their approach to unionism (Lynch et al. 2011), reducing the strategic potential of an organising approach. The SDA has a conscious strategy to find the balance between conflict and cooperation and to 'try and find a middle position somewhere' (Organiser 1). The SDA's strategic approach is to deliver:

constructive engagement with the employer. We don't [resile] from the fact that our job is to get the best possible wages and conditions, best job security which we can for our members, but at the same time our message to employers is that we want to see a healthy and profitable business, because it is only a healthy and profitable business that can provide decent wages, ... so to that extent their interest and the companies' interests are in common (Official 4).

The intent of the union derives from its political and ideological complexion, which has been shaped by its history. The SDA's national leadership has remained the same for 34 years, and every state secretary except one has more than 24 years' tenure. Arguably then, leadership continuity has stabilised the union's approach. The ideological and political dimensions of the SDA's power are impossible to ignore. The union has its origins in Australia's strong, Irish, working-class Catholic heritage; an influence that is still felt today. By sheer weight of membership numbers, the SDA is the main union in a bloc of unions on the powerful right wing of the Australian Labor Party (ALP) (Warhurst 2008). This power has assisted the SDA to lobby for favourable legislative change, such as compulsory unionism in the 1950s (Balnave and Mortimer 2005) and a strong award system, and to resist, for many years, the deregulation of trading hours (Official 4). The SDA is a strong factional player in national and state Labor politics and in union politics: at least six former SDA officials are current federal

parliamentarians. This strength is a key element of the union's power, particularly when the ALP is in government. Underpinned by conservative social policies and a moderate approach to industrial issues, the SDA focuses on maintaining collaborative and consultative relationships with employers. The SDA has taken full advantage of legislative support for unionism and collective bargaining. The first agreement with a major retailer, in 1971, 'ensure[d] industrial peace', as employers did not believe that retail employees would elect a militant leadership (Mortimer 2001a: 86). These preconditions and this history shape the processes adopted by the SDA.

Processes

Consistent with the preconditions for collaboration and its own history, the SDA eschews adversarialist relations with employers. The SDA favours processes that deliver 'constructive engagement'. The two major processes involved in the 'collaboration' between the SDA and some of the major retail employers are interpersonal connections between union officials and company managers and orderly collective bargaining.

Interpersonal relationships are multi-level: that is, at national, state, and retail store level. These relationships are characterised by stability on the SDA's side, underpinned by officials' long incumbency. In many cases, managers have also come from the shop-floor and thus have been members or delegates in the past, thus influencing their relationship with the SDA. Relationships underpin daily communication between the union and large employers regarding business and industrial issues. For example, the two largest grocery retailers regularly provide information to, and consult with, SDA officials: in one case every six weeks and, in another, almost daily. This information sharing 'about how [they] are going as a company, their sales, profitability and so on ... is part of [their] relationship with the union' (Official 4). This relationship and the associated and on-going collaboration and information exchange enables issues to be dealt with as and when they arise for both parties. The same applies at state and organiser level. As one official explained:

I will try and develop a relationship with the state manager. The organisers need to develop a relationship with the area manager. This is very important for problem solving. If the organiser can go to the area manager and say 'Look you know me. We've been working closely together now for the last three years. I don't manufacture problems. You know that, but this fella [supervisor]....he's a real problem so let's go in and sort it out.' (Official 7).

Every official and organiser interviewed stressed the critical importance of these interpersonal relationships for collaboration and successful and orderly collective bargaining. Relationships and collective bargaining appeared to be mutually constitutive: one long serving official argued that collective bargaining 'created a strengthening of relationships and....really opened or educated a lot of companies that they need to be involved' (Official 10). At the same time, the SDA's privileging of collaborative relationships over adversarialism shapes its approach to bargaining. In short, the union never takes an aggressive 'organising approach' to bargaining for, as noted above it does not need to campaign for representation or recognition rights, as such rights are enshrined in the *Fair Work Act 2009* (and were enshrined in previous legislation, even under conservative governments).

According to the SDA, its relationships with major retail employers have ensured the maintenance of particular award and agreement conditions under changing legislation, allowing the union to circumvent some of the negative effects of the changing regulatory framework since 1996 and particularly since 2005. For example, when certain clauses in awards and agreements became unenforceable in 2005 under the Work Choices legislation, SDA officials were able to use their established, collaborative relationships to persuade employers to sign memoranda of understanding, or common law agreements, to retain matters that were otherwise prohibited as 'an appendix to an agreement' (Official 10). This mutuality is reflected in the fact that employers 'honoured memorandums of understanding' (Official 2). Whereas many other unions were forced to fight for their members' rights (Muir 2008), the SDA was able to maintain members' conditions.

Some strategies are necessarily adversarial; the SDA, like other unions, played a major advocacy role in 2009 when the General Retail Award was being created (Official 4). Servicing the members relies on relationships with management. The most common member grievance is about roster changes but, according to officials, interpersonal relationships allow the union to service its members quickly and resolve these grievances (Official 7, 10; Organiser 1, 5, 6). These relationships deliver results for the union and its members on an informal level initially, but more often than not via formal agreements. One challenge, however, to the sustainability of interpersonal union-management relationships is high turnover of human resource staff and managers within retail firms. This turnover, alongside the centralisation of human resources in most major retailers (Price 2004; Lynch et al. 2011), results in union officials and organisers periodically starting from a blank slate to establish relationships, necessitating a significant re-investment of time and resources.

The SDA's strategy vis-à-vis employers has implications for organising. Encouraging employee voice via consultative committees and the like rarely occurs. An extensive delegate network does exist in all the larger retailers; delegates are active in communicating members' views, and speak to new employees at store inductions. The union holds regular delegates' meetings but attendance is low, 'because they have every opportunity to contact the union through their organisers' (Official 10), thereby indicating that a two-way flow of information between organiser and delegate is the norm, rather than delegate-to-delegate contact. The majority of members are passive recipients of union services (Lynch et al. 2011), consistent with the transient nature of retail employment (Ikeler 2011; Tilly and Carré 2011). Some member engagement occurs in the lead up to bargaining when member surveys are conducted (Official 2), and when the union decides to campaign on an issue. Campaigning is however selective and primarily on issues such as public holiday trading, in line with a membership that is described as 'fairly passive' (Organiser 1) and 'not the most militant' (Official 2). In Wood and Gray's (1991: 154) terms, this limits the member stakeholders' involvement in collaboration; however, they note that 'it does *not* appear that all stakeholders must participate' [emphasis in original]. In the case of unions of course, lower participation reduces union democracy. However, this does not mean that the SDA necessarily achieves poor outcomes.

Outcomes

Any union's achievements are multifarious. They include outcomes with respect to wages and conditions, job security, density and aggregate numbers that proxy union strength, and more intangible factors such as control over working time allocation. The SDA has achieved significant gains for its members. Firstly, given that the union's density is only 16 per cent, collective agreement coverage is high at 37 per cent of retail employees (Peetz and Price 2007), which is not much less than the average across the workforce (43 per cent) (ABS 2011). Secondly, wages are relatively high. The base rate in the General Retail Modern Award, which applies to small to medium enterprises, and to larger employers unwilling to bargain, is \$647 or 10 per cent above the statutory minimum wage, which currently sits at \$589. Collective agreements of course deliver more than this. Moreover, contrary to the situation in the UK where a figure just above the minimum wage prevails in retail collective agreements and do not feature in partnership agreements (Brown & Oxenbridge 2004; O'Brien-Smith & Rigby 2010), wage outcomes in SDA collective agreements are relatively high. The SDA has a total of 48 major collective agreements with large multiples, and has achieved around \$725 a week in both Woolworths and Coles supermarkets (the two largest Australian supermarket chains); this amounts to a premium of 12 per cent on the Award and 23 per cent on the minimum wage. While wages are above the award, well above the statutory minimum and high by international standards (OECD 2010), SDA officials are aware that these results flow from the institutional context:

I'm not singing from the rooftops that retail workers are earning a brilliant wage. I'd like to see them get paid a lot more but, in a worldwide context, they are doing quite well and a lot of that is because of the award system which underpins bargaining (Official 6).

Collective agreements are extensive in scope, more so than elsewhere (Brown & Oxenbridge 2004; Ikeler 2011; O'Brien-Smith & Rigby 2010), and provide for better working arrangements than the Award in key areas, including rostering and leave arrangements which, according to organisers are two of the biggest daily operational issues for members. According to one organiser, store managers will say: 'We are quiet now and need to change your roster; we are

busy now and need to change your roster' (Organiser 5). However, agreements contain elaborate provisions that prescribe 'specific rostering rights, [indicating] the things that companies can and can't do' (Official 4). For example, rostering rights provide for work over no more than five days, no more than one long day shift per week and no more than eight hours on a cash register (Woolworths National Agreement 2010), and are more restrictive for employers than corresponding arrangements in the UK (O'Brien-Smith & Rigby 2010). The result is employee protection against unrestrained managerial prerogative, although 'companies complain it makes it far too rigid for them' (Official 4). This is one example of where the broad domain of collaboration via collective bargaining leads to conflict, discussion, and eventually, what Wood and Gray (1991) term, 'negotiated interorganizational order'.

The SDA sometimes bargains using 'grandparent clauses', which retain conditions for existing employees but reduce them for new employees. Penalty rates for some unsociable hours may be traded off for higher wage rates, but existing employees are covered by 'saved rates' clauses to maintain wages and conditions. Work on Sundays, for instance, is voluntary for those employed before the introduction of Sunday trading. It is the new recruits who are potentially worse off. Thus, the agreements provide for 'mutual gains': employers achieve greater flexibility in rostering and reduce the cost of penalty rates for Sunday trading for new employees, while all employees receive a higher base rate. Given the high staff turnover levels in retail (Ikeler 2011; Price 2004), large retailers have achieved significant savings by doing this (Mortimer 2001b). In addition, the SDA has traded off conditions for higher wages. For example, the 'good' agreements, like Coles' and Woolworths', extend the number of 'ordinary' hours when employees can be rostered to work and reduce Sunday wage loadings from 100 per cent in the award to 50 per cent in agreements, in exchange for the higher hourly rate.

A major outcome of the SDA's relationships with retailers, from the union's perspective, is a range of union security provisions (Balnave and Mortimer 2005). One important example is the inclusion in agreements of a 'recognition of rights' clause which means the employer promotes union membership – or at least does not explicitly oppose it – which results in tacit agreement for payroll deduction of union dues. Another is union access to employers' induction sessions for new employees. In such sessions, the membership take up rate is between 60 and 90 per cent

depending on the organiser or delegate involved (Organisers 1, 5, 9). In a context where the union needs to recruit around a third of its membership per year just to ‘stand still’ in aggregate numbers (Lynch et al. 2011), these arrangements contribute to its institutional security.

Analysis

The SDA’s relationship with retail employers in the ‘problem domain’ of employees’ wages and conditions – a key aspect of what unions deliver for members – exhibits the features found in collaborative arrangements. These features include: commitment to building trusting relationships based, in part, on interpersonal networks; information sharing and consultation, albeit limited, with members; and mutual recognition of the interdependent interests of employers, management and the union (TUC, 2001). The following sections analyse the preconditions, processes and outcomes of the SDA’s collaborations in the light of Gray and Wood’s (1991) framework.

In relation to the *preconditions* for the SDA’s relationships with retailer employers, while they are not formalised by joint declarations, nor underpinned by any form of social partnership, ‘soft’ or ‘hard’, they are influenced by the fact that Australian IR legislation privileges and supports union recognition and collective bargaining to a greater extent than most (non-European) countries. Australian unions do not need to win a recognition battle, which is particularly significant for unions representing the low paid, many of whom are in contingent jobs and are unlikely to join unions (Lucas 2009), as demonstrated by almost uniformly low union density throughout the Western world in the industry (Dølvik and Waddington 2004). Further, the floor provided by Modern Awards in Australia for the low paid (Bailey, Macdonald and Whitehouse 2011), and the relatively strong legislative underpinning for due process and ‘good faith’ in collective bargaining, shapes the ‘shared rules, norms and structures’ (Wood and Gray 1991: 148), within which the SDA and retail employers collaborate. It is these legislative requirements that give the SDA the power to progress the needs of their members. Collective national institutions therefore still make a significant difference to the low-paid, including retail workers in Australia.

Key processes are collective bargaining and mutual interpersonal relationships between union and company officials that lubricate both collective bargaining and servicing: the latter primarily revolving around the negotiation of individual grievances. With respect to voice, the SDA is adopting strategies that de-emphasise equity and voice and instead privilege efficiency, similar to the UK retail partnerships (Byford 2009; O'Brien-Smith & Rigby 2010). In this process, union members are 'distant' rather than 'near' stakeholders; a strategy with implications for union democracy. With respect to employee voice, a number of officials rationalised that consulting members was difficult (Official 1, 3, 4 8), and therefore this was not an issue on their radar. As Wood and Gray (1991: 148) note, stakeholders 'may relinquish some autonomy to the collaborative alliance'. In this instance, a largely contingent retail workforce that is not the subject of any mobilisation strategies means that the union leadership focuses on organising the employer rather than organising the membership. The trust developed over time between the SDA and retail employers has allowed the union to put issues on the bargaining table and subsequently include relevant clauses in agreements, and to maintain legislatively prohibited conditions in memoranda of understanding.

Outcomes of collaboration between the SDA and retail employers are mixed. The SDA's members – and non-members – have gained higher rates of pay. In the major Australian retailers where collective bargaining has been in place for well over a decade, wages are even higher – especially within an international context (O'Brien-Smith & Rigby 2010) – and there are significantly more constraints on managerial prerogative regarding rostering and workloads. It is also of note that terms in collective agreements can be enforced in Australia with relative ease by a trade union; in contrast to the UK where employer breaches are common and difficult to enforce (O'Brien-Smith & Rigby 2010). However, these gains by the SDA have been offset by a reduction in weekend penalty rates designed to allow employers to respond to changing patterns of retail demand. The SDA also gains institutional security from arrangements with employers regarding recruitment. Gains are therefore mutual. In Hyman's (2005) terms, the SDA's processes are oriented to 'market', less so to 'society', and not towards 'class'. In sum, the SDA's collaboration strategy has delivered institutional security, hourly wage outcomes, and collective bargaining coverage which, when measured against international standards, are indeed

very good. These outcomes however emphasise efficiency over equity and voice, and have limited the mobilisational capacity of the union.

As argued earlier, collaboration comes in different varieties. Wood and Gray (1991: 149) assert that ‘defining a phenomenon gives us guidelines for recognizing the phenomenon when it occurs and for distinguishing it from other observable phenomenon’. We argue that the SDA’s relationships with employers are a ‘collaborative’ phenomenon. The active stakeholders in the collaboration are predominantly union officials and the HR managers of the major retailers. The problem domain includes wages and conditions, thus being broader in scope than many collaborative arrangements elsewhere (O’Brien-Smith & Rigby 2010; Roche 2009), and the interactive process is framed by legislation that privileges collective bargaining and provides the rules and structures for the process. In a context where collaboration is often fluid, evolving and fragile (Wood and Gray 1991), the SDA’s collaborations have been surprisingly enduring. For collaboration to succeed, it is necessary to establish a trusting, respectful relationship (Roche 2009). This is inherent in the SDA’s relationships with many retail employers – at least from the SDA’s perspective. As one British organiser (immigrant) noted: ‘I think the biggest difference.... [is]....the union here [in Australia] is much more involved in companies’ (Organiser 5). Finally, a key feature of the SDA’s strategy is its longevity; it has adapted to changing industry ownership and changes to the institutional environment over more than four decades, in the pursuit of broader collaborative strategies. This is notable as achieving co-operation is often fragile and uncertain (Bélanger and Edwards 2007; Brown and Oxenbridge 2004; Wood and Gray 1991), and can be highly ‘perishable’ in a dynamic environment (Thompson 2003; Jenkins 2008).

Efficiency, not only with respect to bargaining, but also in relation to union security, is key for the SDA. Maintaining membership is central to the union’s survival. Hence, recruitment is the SDA’s key strategy, and this in turn depends on establishing legitimacy and credibility with employers (Lynch et al. 2011), via the relationships described at length by interviewees, and particularly through the vehicle of collective bargaining. Indeed, these are long-standing SDA strategies identified by Balnave and Mortimer (2005) in earlier periods. Bargaining for union security is vital for a union that has such a high annual membership turnover (Lynch et al. 2011).

A key part of the legitimacy strategy on the part of the SDA and major retail employers is around ‘collaboration’ in agreement making, which delivers stability and, therefore, mutual gains. Contrary to Bacon and Blyton (2007), who found mutual gains resulted only where conflictual tactics were adopted, we identify mutual gains from collaborative tactics. To date, the SDA’s collaborative strategy has delivered institutional security, hourly wage gains for contingent as well as permanent full-time workers, and robust collective bargaining coverage. The SDA has taken a particular path in choosing ‘[its] identities, [its] goals and who [its] opponents and allies are’ (Ross and Martin 1999: 2 as cited in Hyman 2005: 255). The union has made trade-offs between the aim of ‘getting the best deal for their members under the circumstances’ – its preferred position – and gaining workers’ allegiances by being a ‘sword of justice’ (Flanders 1970) and by representing a ‘moral economy’ (Flanders 1970; Thompson 1971 as cited in Hyman 2005: 262).

The union is thus working within constraints, as perceived by its long-term officials, on its power and resources. The union has identified that its chief power lies in markets in that retail, as a service industry, is largely sheltered from international product market competition. While this power could diminish with the growth of online retailing, the effects of online retailing in the SDA stronghold of supermarkets are much less than in clothing and small consumer goods. The union does not view mobilisation of retail workers as an option, and leadership changes in the next few years are unlikely to alter this position. Its collective action frame relies on patient and persistent advances that draw on official and organiser agency, but little on member agency. The SDA derives its power from sheer aggregate numbers, which gives it considerable institutional security, and from the regulatory supports for collective bargaining and union recognition in Australia. This means that collaboration with employers, while problematic in a number of respects, delivers outcomes that are reasonably respectable especially given the precarious position of services unionism internationally (Kelly 2011). In the ‘negotiated order’ that has arisen within the IR domain in Australian retail, the regulatory framework therefore plays a key part; with the union deriving small-p ‘political’ power and resources from that framework without, it appears, impinging too strongly on retailers’ managerial prerogative.

The present study is confined to the views and experiences of union organisers and officials. Whilst the data are valuable in understanding the preconditions, intent, processes and outcomes of collaboration between the SDA with retail employers from the union's perspective, there is a need to further examine the experiences and views of employers and employees/members. By examining the totality of the parties' views, a more holistic picture of Australian employment relations in retail, and the meaning of collaboration for all actors, can be developed. Nevertheless, this study makes an important first step in contributing to the literature, both in respect of the 'union experience' of collaboration outside Europe, the UK and US, and to the literature on employment relations in retail.

Conclusion

This paper has investigated 'varieties of collaboration' by analysing the SDA's approach to collaboration with retail employers. We have argued that the addition of the Australian case is an important contribution to the extant literature, given the contrast with collaborative approaches in other national contexts including Europe, the US and the UK. Aside from differences in national and institutional contexts, including legislative support, differences in intent, processes and outcomes lead to substantive variants of collaboration. In the case of the SDA, their 'particular way of operating' is built upon pre-defined goals (intent), their ideological and political power, and the power relations, interests and expectations of the parties to the employment relationship. In its attempt to achieve institutional legitimacy, the SDA has much in common with retail unions in the UK (O'Brien-Smith & Rigby 2010), although the negotiated order of the SDA has greater longevity. The SDA's choices are heavily shaped by an industrial relations system that privileges collective bargaining and does not require unions to win recognition. Whilst the outcomes of collaboration for the SDA can be evaluated both positively and negatively, one of the major strategic drivers of the SDA's approach to collaborative relationships with employers, which, is itself a by-product of the institutional environment, is its approach to collective bargaining. Consistent with a wider power force-field view, collective bargaining has an ongoing and widespread influence on the relationship between the SDA and major Australian retailer employers, reinforcing Commons' (1909, cited in Kaufman 2003) notion that collective bargaining is not simply a means for splitting the pie, but a system of industrial governance

which sets the framework for workplace relationships more generally. This focuses the attention of the SDA on shared concerns in the problem domain that is, ‘power with’ retail employers around issues of mutual concern. Further research should explore the same issues from the perspective of employees and employers, in order to develop a more nuanced understanding of collaborative arrangements in Australian retail.

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